

**FOLLOWUP REPORT #38**

ASSIGNED TO NIIYA, JEFFREY M (30666)	RANK SERGEANT			
ORG UNIT CENTRAL	CAPACITY 1 - PATROL SUPPLEMENTAL			
ASSIGNED ON 06/10/2017	ASSIGNED BY NIIYA, JEFFREY M	SUBMITTED ON 06/10/2017	APPROVED ON 06/10/2017	APPROVED BY NIIYA, JEFFREY M

**CASE SUMMARY**

AUTHOR NIIYA, JEFFREY M (30666)	DATE/TIME 06/10/2017 0830
SUBJECT JUNE 4TH FREE SPEECH RALLY	

This report documents my actions and communications leading up to and including the day of for the multiple protests occurring on June 4th.

**NARRATIVE**

AUTHOR NIIYA, JEFFREY M (30666)	DATE/TIME 06/10/2017 0830
SUBJECT REPORT NARRATIVE	

The following report will document my actions and communications for the June 4<sup>th</sup> protests in downtown Portland. As the Special Events sergeant at Central Precinct it is my job assignment to work with event organizers, other stakeholders, and the Police Bureau to address the impacts to the precinct. Having monitored events and protests leading up to the planned Free Speech Rally by the Patriot Prayer Group I was concerned about the impact to public safety and the safety of those participating or counter protesting. The protests in Lake Oswego, OR, Vancouver, WA, and Berkley, CA, had shown the increasing violence between participants to include physical assaults, the use of weapons, and pepper spray. Law enforcement was challenged in all of them to provide the level of public safety which many in the community wanted.

It was my desire that the Portland Police Bureau do a better job at providing a venue in which all parties could express their First Amendment rights while safely assembling. I also wanted to provide the larger community the public safety they were expecting during a day in which the Rose Festival City Fair and concerts were occurring. To achieve this, I had to make contact with all parties involved in the permitted Free Speech Rally and planned counter protests. This also included working the Federal Protective Services (FPS) as Terry Schrunk Plaza is a federal enclave.

On Wednesday May 17, 2017 @ 1248 hours I was contacted by LAWRENCE CAVALLERO. He introduced himself as the lead for the security detail of the Patriot Prayer rally. I found it strange he called me as I was in the process of trying to find a phone number for JOEY GIBSON who is the founder of Patriot Prayer. CAVALLERO and I spoke generally about the June 4<sup>th</sup> rally and agreed to meet in person with other members of his security team. I also asked him to have GIBSON call me so I could discuss my concerns of having the rally in Portland. In the evening of May 17<sup>th</sup>, CAVLERO and I emailed and decided to meet at Starbucks on NW Yeon Saturday the 20<sup>th</sup>.

GIBSON called me back @ 1300 hours the same day. I had spoken to GIBSON at a protest he and several of his associates came to counter protest anarchists in Chapman Square. During this protest a member of GIBSON'S group punched a protester. No victim wished to come forward and no arrest was made. However, it had been captured on video and uploaded to the internet. In this initial phone call I re-introduced myself and explained my job assignment and the knowledge I had of the current movements in the area.

I explained my concerns about having the rally in downtown Portland during Rose Festival. GIBSON understood the concerns, but explained he and his group wanted to come into what is perceived as a major liberal city and allow conservatives a chance to safely have a rally. He did state there would also be a march. We discussed the rules of the Federal government and not

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allowing guns in Terry Schrunk Plaza. I did not want people openly carrying weapons in the rally. I expressed my concerns of having a march and a repeat of what occurred on 82<sup>nd</sup> Ave.

I then talked to him about what occurred at the May 13<sup>th</sup> protest and advised him the Patriot Prayer people were the aggressors against the anarchists. I told him ?Tiny? would have been arrested if a victim would have come forward. I told him explicitly the Bureau does not take sides and we will arrest anyone. I also talked to him about the publics perception of him and his associates and that if they wanted to be viewed as anything different they needed to control themselves and not attack others.

I finally told him the security team needs to understand the expectations and not to be the aggressors at the June 4<sup>th</sup> rally. We agreed to keep in communication leading up to the event.

On Friday May 19<sup>th</sup> @ 1100 hours I called STAR STAUFFER who I know from City Hall council sessions and other protests. She is an activist who aligns with the anarchist / black bloc. I told STAUFFER I wanted to get a message to the anarchist / antifa who were planning on counter protesting the Free Speech Rally on June 4<sup>th</sup>. I had concerns about the protests getting violent and asked for them to remain vocal only and separated from the patriots in Terry Schrunk Plaza. I offered to speak with anyone in the hopes of keeping the protests safe.

On May 20<sup>th</sup>, 2017 @ 0900 hours I met with CAVALLERO, JEFF PRIMROSE, ALLEN BARKER, AMY, and DUSTIN who were working as security/peace keepers for the June 4<sup>th</sup> event. I explained to all of them the position of the Police Bureau being neutral and they we were not to be considered "friends" with the patriots or any other group. I had seen posts online in which people were saying the police were working with or supporting the patriot movement. This was not acceptable and I wanted GIBSON and the others to stop those types of messages.

I told them I did not want the patriots or their rally participants aggravating the situation with similar actions taken by some in earlier events. I further spoke to them about not having weapons or openly carrying firearms. I let them know we had observed vehicles being driven by III%'s with rifles at the 82<sup>nd</sup> Ave protest and this was unacceptable. We also discussed some type of visible markings on the security / peace keeper team. They were uncertain what they would use, but would keep us advised.

I finally talked to them about my concern of the patriots marching through downtown. I explained to the security team there was a possibility for many pedestrians and non-participants to be in downtown due to City Fair and the concerts. I did not want the physical clashes which occurred in other cities and at the 82<sup>nd</sup> protest to occur again. LAWRENCE said he understood and would speak with GIBSON about the march. I received a follow up phone call from LAWRENCE later saying GIBSON was still planning on having a march, however the security / peace keeper team was not going with them. They felt it would be too hard to maintain security for the event and they would stay back at the park with the equipment.

On Wednesday May 24<sup>th</sup>, 2017 CAVALLERO provided me a march route which would have taken the patriots down SW Jefferson to SW Naito to SW Salmon to SW 4<sup>th</sup> Ave back to the park. This was very concerning due to it coming within a block of City Fair. I tried to dissuade them from using this march route and again encouraged no march take place, but if one were to occur it should go no further east than SW 2<sup>nd</sup> Ave and to the south of Terry Schrunk Plaza. CAVALLERO also requested contact from FPS. I notified FPS of the request and provided CAVALLERO'S contact information.

On May 28<sup>th</sup>, 2017 @ 1415 hours I was notified about two protesters wanting to speak with me on the south side of Central Precinct. I met with CHRIS BRUMBLES and JIM HOFFMAN. They introduced themselves as members of Oath Keepers.

They explained members from Oath Keepers were planning on coming to the June 4<sup>th</sup> rally and provide security and most likely would be armed. I asked if they had communicated with GIBSON and CAVALLERO as I had been working with them. They had not been in communication with CAVALLERO and were not aware security plans were already being made by him.

In talking to both BRUMBLES and HOFFMAN I expressed my concerns about Oath Keepers and their coming to the event armed with firearms. I told them the appearance of Oath Keepers and III% groups could make the situation worse as they were

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not working with GIBSON and placing everyone's safety at risk. At the end of my conversation each stated they were going to talk to their leadership about not attending.

While all of this outreach was occurring the homicides on the MAX train had created a large community outcry against what they perceived as Nazism and hate speech. GIBSON'S Free Speech Rally was being billed as promoting these ideologies and new groups were now coming out to counter protest the event. On social media individuals were be singled out by groups providing names, pictures, and short biographies of their beliefs. GIBSON had attracted well known Alt-Right speakers to come to his event. Some of these speakers have made statements in the past which have contributed to the public's beliefs. A new peaceful counter protest was gathering a large number of people on Facebook to voice their displeasure at GIBSON'S rally.

On May 30<sup>th</sup>, 2017 the Mayor, his staff, and members of the Police Bureau met separately with GIBSON, and organizers of the peaceful protest happening in front of City Hall.

On May 31<sup>st</sup>, I was given contact information for SIOBHAN BURKE and NED BURKE, who were designated as peace keepers by JAMIE PARTRIDGE. PARTRIDGE was one of the lead organizers for the peaceful counter protest and has been very active since the Occupy Portland events. I made phone contact with SIOBHAN and provided my contact information to her.

Later on May 31<sup>st</sup> I received emails from CAVALLARO with reassurances that the message about no firearms was making out to the patriot participants. I also was trying to confirm the Oath Keepers had contacted him and were not coming due to wanting to bring firearms. CAVALLERO told me there would be some national Oath Keepers and the local guys were going to pass the information about not being armed.

On June 1<sup>st</sup>, 2017 @ 0837 hours I had a phone conversation with the founder of Oath Keepers STEWART RHODES and one of his members BRIAN KROGMANN. We discussed their role and if they had spoken to GIBSON and CAVALLERO. I emphasized we did not want people bringing firearms to the event, that FPS would not be allowing them in the park, and the public here would not be receptive to seeing them. Both of them tried to stress to me how well Oath Keepers works with law enforcement at other protests and rallies. I explained the Bureau was here to work with everyone and enforce the laws on all. Anyone who committed a crime or was violent, which included members of the patriot movement or the Oath Keepers, would be subject to arrest. I was also informed BRUMBLES and HOFFMAN were no longer part of Oath Keepers and would not be a good contact for me.

I had not heard back from NED and realized I had a wrong phone number for him. I made contact with PARTRIDGE. I was told the group would have peace keepers in orange vests and that they did not want the masked antifa in their group. I explained to him our wish to keep all parties separated and allow everyone to voice their free speech rights.

In the days leading up to June 4<sup>th</sup>, I continued to prepare the Bureau by reviewing open source social media. The online back and forth between patriots and the antifa was continuing. There had been and continued to be threats of violence between people. The demonizing of certain individuals, and the advocating of tactics against the police was increasing. I was very worried about the safety of all involved in the multiple protests as well as the police.

On June 4<sup>th</sup>, I arrived at work and began trying to get information on who might be coming armed to the patriot rally. I had earlier been told by STEWART and KROGMANN only retired law enforcement members would come armed and be in the area. KROGMANN now verified only one person would be coming armed and carrying concealed. I honestly believed however many more would be arriving and carrying concealed. I also sent STAUFFER a text message and checked in with her. I received one back with her wanting to remind the officers to remain peaceful and mindful of who they serve.

At approximately 1000 hours I walked over to City Hall with Captain Graham and introduced myself in person to SIOBHAN, NED, and PARTRIDGE. After speaking for a few moments, I went over to Terry Schrunk Plaza to see if CAVALLERO had arrived yet. I had spoken to him on the phone earlier as they were assembling out of downtown, but he had not arrived yet. During our phone call he assured me none of his security / peace keeper team had any weapons.

As we were walking back to the precinct, a male dressed in clothing identifying himself as a person attending the Patriot rally was carrying a shield on SW 3<sup>rd</sup> Ave in front of the Justice Center. Captain Graham informed him he would not be allowed to have the shield. The male was upset and made comments to the Captain which I did not hear, but I could tell by his body language he was not happy with the message. We went into the precinct and a short time later I went out to see CAVALLERO in person when he arrived. When I went back to the precinct, the same male Captain Graham spoke with early approached me on the south side of the precinct demanding to know who told him he could not have the shield. He was with a female and another male who was filming me. He wanted to know again why he could not have the shield since there had been threats by antifa to attack them. I explained the city rules to him, advised him he could have my name in reference to not having the shield, and if he and the others felt their safety was in jeopardy and the Police Bureau could not address those concerns they should probably just leave the event now. I wanted to emphasize point we were enforcing the rules on everyone attending the protests and we were there to ensure overall safety.

The different protests began to have more and more people show up well earlier than expected. The Patriot Prayer rally was not scheduled to begin until 1400 hours. However, there were many people walking around early who were going to attend. The peaceful protesters and antifa / anarchists were also showing up early. This did create some confrontations which required our police officers to begin to separate groups. Time, place, manner restrictions were enforced to maintain safety.

Shortly after 1100 hours MIMI GERMAN texted me and wanted to emphasize the group in Chapman was going to be non-violent and use de-escalation and hoped we as a police force would do the same. The group in Chapman was growing and most were wearing black and masked up. Officers were intercepting people going into the park with homemade shields and other weapons. We were letting the FPS officers enforce the no weapons policy at Terry Schrunk.

Throughout the day I maintained contact with people in all three protests to maintain an information exchange. I had to facilitate additional lane closures on SW 4<sup>th</sup> Ave to provide additional space to the increasing numbers of people in front of City Hall. I needed to ask CAVALLERO to move people inside of Terry Schrunk Plaza away from the edges of the park where they were antagonizing the counter protesters. I was also communicating with STAUFFER and GERMAN about the use of sling shots in the Chapman crowd and later bricks and balloons filled with an unknown liquid being thrown at officers.

I have downloaded the text messages I had sent between all parties mentioned in this report. I have tried to capture phone conversations and meetings to show the pre-event communications to all groups. I had a high level of concern over the inflammatory and threatening online posts from the days after the Free Speech Rally and counter protests were created. As speakers and others began to sign up for the rally and counter protests I felt the possibility of a serious assault or injury was to be expected. My outreach and recommendations to the Bureau were to minimize this possibility while allowing all participants to exercise the rights safely. I believe the cooperation we received from everyone involved assisted in not having major confrontations between the protesters.